

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FORT SMITH DIVISION

WILLIAM EARL HARRIS, JR.

PLAINTIFF

v.

Civil No.: 2:18-CV-02064

JAIL ADMINISTRATOR CAPTAIN  
TORRACA, Crawford County Detention  
Center (CCDC); NURSE BECKY, CCDC

DEFENDANTS

**ORDER**

Plaintiff, William Earl Harris, Jr., filed this action *pro se* pursuant to 42 U.S.C. § 1983. (ECF No. 1). Plaintiff's application to proceed *in forma pauperis* was granted on March 29, 2018. (ECF No. 3). An Amended Complaint was filed on May 23, 2018. (ECF No. 10).

Currently before the Court is **Plaintiff's Motion to Extend** his time to respond to Defendant's Motion for Summary Judgment. (ECF No. 32). In addition to an extension of time, Plaintiff seeks appointment of counsel and "a complete file of all records pertaining to this case." The Court finds that the Motion should be, and hereby is, **granted in part and denied in part as set forth below.**

The Court finds that Plaintiff's time to respond to the Motion for Summary Judgment should be, and hereby is **extended to January 21, 2019.**

However, Plaintiff's request for counsel is denied. A civil litigant does not have a constitutional or statutory right to appointed counsel in a civil action; but, the Court may appoint counsel at its discretion. 28 U.S.C. § 1915(e)(1). In this case, the Court has considered the need for an attorney, the likelihood that the Plaintiff will benefit from assistance of counsel, the factual and legal complexity of the case, and whether Plaintiff has the ability to investigate and present

this case. In considering these factors, the Court finds that the claims currently before the Court do not appear legally or factually complex, and Plaintiff is adequately prosecuting this case at this time. At a later stage in this case, Plaintiff may again request appointment of counsel if Plaintiff believes the circumstances justify such an appointment.

Finally, with respect to Plaintiff's request for a "complete file of all records pertaining to this case," **the Court directs that the Clerk of this Court mail a complete docket sheet to the Plaintiff.** Plaintiff can review the docket and request certain documents if necessary.

**IT IS SO ORDERED this 27<sup>th</sup> day of December 2018.**

/s/ Mark E. Ford  
HON. MARK E. FORD  
UNITED STATES MAGISTRATE JUDGE